

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SIGNA DEVELOPMENT SERVICES, INC.,
a Nebraska corporation;

Plaintiff,

vs.

AMERICAN INTERNATIONAL MATERIALS,
LLC, a Delaware limited liability company;
and ATOKA INTERNATIONAL, LLC, a
Delaware limited liability company;

Defendants.

8:23CV415

**FINAL PROGRESSION ORDER
(AMENDED)**

The Court grants the parties' Joint Motion to Amend the Final Progression Order.
[Filing No. 33](#).

Accordingly,

IT IS ORDERED that the unexpired¹ deadlines in the Final Progression Order are amended as follows:

- 1) The trial and pretrial conference will not be set at this time. The status conference to discuss case progression, the parties' interest in settlement, and the trial and pretrial conference settings currently set for March 6, 2025 at 1:00 p.m. is continued and will be held with the undersigned magistrate judge on **June 17, 2025** at **9:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.

¹ The parties emailed chambers clarifying their motion is solely seeking an extension of the unexpired deadlines in the Final Progression Order.

- 2) The deadlines for moving to amend pleadings or add parties are:

For the defendant(s): September 9, 2024

- 3) The deadline for completing written discovery under Rules 33, 34, 36 and 45 of the Federal Rules of Civil Procedure is December 16, 2024. Motions to compel written discovery under Rules 33, 34, 36, and 45 must be filed by December 30, 2024.

Note: A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.

- 4) The deadlines for identifying expert witnesses expected to testify at the trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff(s): January 13, 2025.

For the defendant(s): February 18, 2025.

Plaintiff(s)' rebuttal: March 3, 2025.

- 5) The deadlines for complete expert disclosures² for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff(s): February 18, 2025.

For the defendant(s): March 17, 2025.

Plaintiff(s)' rebuttal: April 7, 2025.

- 6) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is June 12, 2025.

- a. The maximum number of depositions that may be taken by the plaintiffs as a group and the defendants as a group is 8.

² While treating medical and mental health care providers are generally not considered "specially retained experts," not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert's treatment records and reports must be separately and timely disclosed.

b. Depositions will be limited by Rule 30(d)(1).

- 7) The deadline for filing motions to dismiss and motions for summary judgment is July 10, 2025.
- 8) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is June 26, 2025.
- 9) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 10) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.
- 11) All other deadlines and provisions in the Final Progression Order, [Filing No. 24](#), not amended herein remain unchanged.

Dated this 12th day of June, 2024.

BY THE COURT:

s/ Jacqueline M. DeLuca

United States Magistrate Judge